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Signature

November 29, 2004

Date of Submission

**SPECIAL PROCEDURES SUBMISSION****PETITION UNDER 37 CFR 1.313(c)**

Our Ref. No. 10743/6

Client Ref. No. (BH-6)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Keith Wood et al.

Serial No: 09/813,279

Examiner: Louise N. Leary

Filed: March 19, 2001

Group Art Unit: 1654

For: METHOD FOR  
DETECTION OF ATP**PETITION TO WITHDRAW APPLICATION FROM ISSUE UNDER****37 C.F.R. § 1.313(c)**

Office of Petitions  
 U.S. Patent and Trademark Office

Dear Sir:

Pursuant to 37 C.F.R. § 1.313(c)(2) Applicants respectfully request that the subject application be withdrawn before issuance so that Applicants can file a Request for Continued Examination in compliance with 37 C.F.R. § 1.114. The Applicants wish to file an RCE so that the Patent Office can consider art that was cited during examination of a corresponding PCT application.

## SPECIAL PROCEDURES SUBMISSION

U.S. Serial No. 09/813,279

Filed: March 19, 2001

Inventors: Keith Wood et al.

The issue fee for the subject application was paid on July 23, 2004. However, on November 11, 2004 an International Search Report ("ISR") was mailed by the European Patent Office in connection with EP 02 72 4954.9, which corresponds to the subject application (PCT/US02/04534; WO 02/066671) (see the accompanying ISR). The ISR was not received by our office from our foreign associate (Boult Wade Tennant) until November 19, 2004. Petitioner has also simultaneously submitted an Information Disclosure Statement.

As evidenced by the ISR, the examining attorney believes that at least two references are relevant to the claims of the corresponding PCT application, which are similar to the claims that have been allowed in the subject application. Two cited references (US 5,004,684 and WO 01/20002) were already submitted to the USPTO and considered in the subject application. However, one of the references (EP 1 041 151 A1, which corresponds to PCT/JP98/05864; WO99/33997) was not previously considered in the subject application. Therefore, Applicant believes that the Grant of the Petition is warranted.

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November 29, 2004

Respectfully submitted,

  
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